

REMARKS

The Examiner's action in withdrawing the double patenting rejection over U.S. Patent 5,372,907 is acknowledged with appreciation.

Claim 1 has been extensively amended herein in an effort to more clearly and adequately define the invention. Support for the amendment is provided by the disclosure from line 32, page 5 to line 27, page 7 of the specification.

The rejection of claims 1-27 under 35 U.S.C. 103 as unpatentable over Garth in view of Stahlhofen and Newman is again respectfully traversed.

As pointed out in the Request For Reconsideration dated May 17, 1995, Garth provides no disclosure of the use of two of the four essential ingredients of Applicants' novel composition, namely the haloalkyl-substituted S-triazine and the infrared absorber. The Examiner again refers to the Crystal Violet SC, utilized in Examples 2 and 3 of Garth, as "an infrared absorber." However, Attorney for Applicants has provided the Examiner with copies of both U.S. Patent 4,034,183 and pages 239 and 240 from "The Sigma-Aldrich Handbook of Stains, Dyes and Indicators" which demonstrate that Crystal Violet SC is not an infrared absorber. Crystal Violet SC is described as having almost no absorption above 650 nanometers whereas the infrared region is above 770 nanometers. Thus, Crystal Violet SC is not an infrared absorber. The Examiner has apparently totally ignored the documents which Attorney for Applicants has provided and has merely repeated the incorrect statement that Crystal Violet SC is an infrared absorber. This is clearly reversible error on the part of the Examiner. An Examiner must consider all evidence submitted on behalf of an applicant for patent and must respond to all arguments submitted by Applicant's attorney. The attention of the Examiner is courteously directed to Section 707.07(f) of the Manual

triazine and the infrared absorber, it provides no basis for rejecting any of Applicants' claims and this is the case even when Garth is combined with Stahlhofen and Newman.

The Request For Reconsideration dated May 17, 1995, summarized the teachings of Stahlhofen and pointed out that the Examiner had overlooked the fact that Stahlhofen employs sulfonyl halides of naphthoquinonediazides whereas Garth does not employ his naphthoquinonediazide in the form of a sulfonyl halide. Once again, the Examiner has totally ignored the argument provided by Attorney for Applicants and merely repeated the prior rejection.

Stahlhofen requires that the naphthoquinonediazide compound be an organic halogen compound so that it will form a halogen acid. Garth does not require the formation of a halogen acid but, on the contrary, uses his naphthoquinonediazide to provide sensitivity to light. Thus, Stahlhofen provides no conceivable basis on which one would be lead to replace the naphthoquinonediazide of Garth with a haloalkyl-substituted S-triazine. Note that Stahlhofen teaches the optional use of a 1,2-quinonediazide as the component (a) of his formulation which imparts the light sensitivity. Thus, he can use both a 1,2-quinonediazide and a naphthoquinone-diazidosulfonyl halide in the same composition. He does not disclose any equivalence between his 1,2-quinonediazide and his haloalkyl-substituted S-triazine.

Since Stahlhofen discloses only one of the four essential components of Applicants' novel composition, namely the haloalkyl-substituted S-triazine, it provides no basis for rejecting Applicants' claims whether it is considered alone or in combination with Garth.

The Request For Reconsideration dated May 17, 1995, summarized the teachings of Newman and pointed out that Newman provides no disclosure of Applicants'

objective of both Garth and Newman but in both instances the plates described require two exposure steps in order to be utilized as a negative-working plate, namely an imagewise exposure and a subsequent overall exposure. This serious disadvantage is completely avoided by Applicants' invention.

The attention of the Examiner is courteously directed to the disclosure from line 5, page 3 to line 29, page 5 of Applicants' specification which describes the deficiencies of both Garth and Newman and explains the advantages and benefits of the present invention.

It is believed that upon reconsidering this case in light of the detailed arguments presented in the Request For Reconsideration dated May 17, 1995, in light of the amendments of claim 1 made herein, and in light of the above remarks, the Examiner will recognize that Applicants have made an important contribution to the art which fully entitles them to the grant of a patent.

This case is now believed to be in condition for allowance. The Examiner is respectfully asked to reconsider and to pass the case to issue.

Respectfully submitted,

  
\_\_\_\_\_  
Alfred P. Lorenzo/ma  
Attorney for Applicants  
Registration No. 22,503

Alfred P. Lorenzo/ma  
Rochester, NY 14650  
Telephone: (716) 477-3413  
Facsimile: (716) 477-1148